

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D.J. MARSH et al.



Serial No. 10/581,166

Filed: May 31, 2006

For: INHIBITION OF VOLUNTARY ETHANOL CONSUMPTION  
WITH SELECTIVE MELANOCORTIN 4-RECEPTOR  
AGONISTS

Art Unit: --

Examiner: --

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

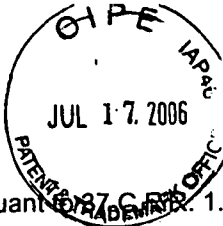
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK &amp; CO., INC.

By Barbel R. Brown Date 7/11/06

**INFORMATION DISCLOSURE STATEMENT**

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

Baerbel R. Brown

By: BAERBEL R. BROWN

Attorney \_\_\_\_\_ For Applicant(s)

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Patent Dept., RY60-30

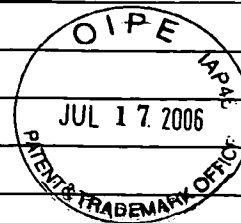
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Date: 7/11/06

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>COMPLETE IF KNOWN</b>		
			Application Number	10/581,166	
			Filing Date	May 31, 2006	
			First Named Inventor	D.J. Marsh et al.	
			Group Art Unit	--	
			Examiner Name		
Sheet	1	of	2	Attorney Docket Number	21457P



U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
/R.T./		6451783		Hadcock et al.	09/17/2002
/R.T./		2002/0198152		Hadcock et al.	12/26/2002
/R.T./		2002/0065277		Hadcock et al.	05/30/2002

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number  Kind Code (if known)		
/R.T./			WO 03/006604	Merck & Co., Inc.	01/23/2003
/R.T./			WO 00/14115	Millenium Pharmaceuticals, Inc.	03/16/2000
/R.T./			WO 00/35952	Melacure Therapeutics AB	06/22/2000
/R.T./			WO 2002/080758	IRM LLC	10/17/2002

Examiner Signature	/Roy Teller/	Date Considered	09/09/2008
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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE</b>  <b>STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>COMPLETE IF KNOWN</b>		
			Application Number	10/581,166	
			Filing Date	May 31, 2006	
			First Named Inventor	D.J. Marsh et al.	
			Group Art Unit	--	
			Examiner Name		
Sheet	2	of	2	Attorney Docket Number	21457P

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
/R.T./	AA	Haskell-Luevano et al., J. Med. Chem., Vol. 40 (1997), pp. 1738-1748, "Biological and conformational examination of stereochemical modifications using the template melanotropin peptide ..."
/R.T./	AB	Schioth et al., Peptides, Vol. 18 (1997), pp. 1009-1013, "Selectivity of cyclic [D-Nal7] and [D-Phe7] substituted MSH analogues for the melanocortin receptor subtypes"
/R.T./	AC	Volpicelli et al., Arch. Gen. Psychiatry, Vol. 49 (1992), pp. 876-890, "Naltrexone in the treatment of alcohol dependence"
/R.T./	AD	Bednarek et al., Biochem. & Biophys. Res. Comm., Vol. 286 (2001), pp. 641-645, "Potent and selective peptide agonists of alpha-melanotropin action at human melanocortin receptor 4 ..."
/R.T./	AE	Pløj et al., Brain Res. Bulletin, Vol. 59 (2002), pp. 97-104, "Effects of melanocortin receptor ligands on ethanol intake and opioid peptide levels in alcohol-preferring AA rats"
/R.T./	AF	Lindblom et al., Pharmacology, Biochem. & Behavior, Vol. 72 (2002), pp. 491-496, "Alcohol-preferring AA rats show a derangement in their central melanocortin signalling system"
/R.T./	AG	Navarro et al., Alcoholism: Clinical and Exper. Res., Vol. 29 (2005), pp. 949-957, "Effects of melanocortin receptor activation and blockade on ethanol intake ..."
/R.T./	AH	Griffon et al., Biochem. & Biophys. Res. Comm., Vol. 200 (1994), pp. 1007-1014, "Molecular cloning and characterization of the rat fifth melanocortin receptor"
/R.T./	AI	Bednarek et al., Peptides, Vol. 20 (1999), pp. 401-409, "Structure-function studies on the cyclic peptide MT-II, lactam derivative of alpha-melanotropin"
/R.T./	AJ	Rall, The Pharmacol. Basis of Therapeutics, 8th ed. (1991), Chapter 17, pp. 378-379, "Disulfiram"
/R.T./	AK	Xia et al., NeuroReport, Vol. 6 (1995), pp. 2193-2196, "Expression of melanocortin 1 receptor in periaqueductal gray matter"

Examiner Signature	/Roy Teller/	Date Considered	09/09/2008
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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